IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.314 OF 2005
IN
CRIMINAL APPEAL NO.58 OF 2005

Mr. Sandeep Narayan Kartale ...Applicant.

V/s

State of Maharashtra ...Respondent.

Mr. V.V. Purvant for the applicant.

Mr. A.S. Shitole, APP for the respondent.

CORAM: V. M. KANADE, J.
DATE: 27th January, 2005

P.C.:

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the State.

2. Applicant is convicted by the Trial Court for an offence punishable under section 306 and 498-A of the Indian Penal Code and sentenced him to suffer R.I. for three years.

3. Prosecution case is that the applicant was the husband of the deceased and they got married on 20/4/1998. Some time in the year, 1999 applicant started residing with the deceased in a separate flat. There was one issue out of marriage i.e. daughter born on 14/6/2001. The deceased committed suicide on 17/5/2004.

4. The Trial Court acquitted the accused of the offence punishable under section 304-B of the Indian Penal Code on the ground that the demand for dowry immediately after the marriage was not proved. The Trial Court has relied on the letter written by the deceased on 24/9/1998 and treated the same as admissible in evidence. The deceased committed suicide on 17/5/2004.

5. In my view, prima facie case is made out for grant of bail. Applicant was on bail during trial. Applicant be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount.

V.M. KANADE, J.